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Date: July 12, 1999

Beverles, Carter

PATENT 36856.00064

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michio KADOTA

Serial No.: 09/038,717

Filing Date: January 28, 1998

For: SURFACE ACOUSTIC WAVE

DEVICE

Art Unit: 2743

Art Unit: 2743

COMMENTARY RE INFORMATION DISCLOSURE STATEMERT

ASSISTANT COMMISSIONER FOR PATENTS Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.56, submitted herewith is a copy of the reference cited in the enclosed search report of a corresponding German patent application. For the Examiner's convenience we have enclosed a completed Form PTO-1449. The statement is not a representation that all of the information cited is necessarily effective as prior art against the application.

Applicant certifies that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the date of this statement. Accordingly, no fee is necessary for the filing of this statement. Should the Commissioner determine otherwise, the Commissioner is authorized to charge Deposit Account No. 07-1853 for any fee shortages, including the petition fee under 37 C.F.R. § 1.17(p).

Serial No. 09/038,717

Art Unit: 2743

Applicant respectfully requests that the disclosed reference be made of record in the subject application.

Respectfully submitted,

Date: July 12, 1999

Joseph R. Keating Attorney for Applicant(s)

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